



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

January 16, 2009

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name of the Chief Executive Officer.

Board of Supervisors
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Fifth District

REPORT BACK: BOARD MOTION 60 A - SESNON WILDFIRE REPORT

On October 21, 2008, your Board directed the Chief Executive Officer (CEO) to work with County Counsel, Fire Department (Fire), and the Department of Public Works (DPW) to perform the following:

- Draft a fire code amendment regarding power pole clearance dimensions and inspection frequency with fees to cover costs.
- Draft a letter to the California Public Utilities Commission (CPUC) to request the completion and publicize the CPUC's investigation of the 2007 Malibu Canyon Fire.
- Report to the Board on the outcome of the petition seeking a rulemaking regarding disaster preparedness and management of overhead powerlines filed by San Diego Gas and Electric Company following the 2007 fires.

Since the issuance of Board motion 60-A, the CEO, County Counsel, Fire, and DPW have collaborated to complete the Board directives included in the motion. The information provided in this report is in response to your Board's request.

Overview

On the morning of October 13, 2008, the Sesnon Fire erupted from apparent downed transmission lines owned by the Southern California Gas Company (SCG). Currently,

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the CPUC has no jurisdiction over transmission lines that belong to non-electric utilities located on private property, such as those owned by the Gas Company which are not regulated by the CPUC.

Draft a fire code amendment regarding power pole clearance dimensions and inspection frequency with fees to cover costs.

At this point, Fire is recommending specific amendments to the County Fire Code be deferred. As a result of the 2007 and 2008 fires in Southern California, the CPUC has approved an Order Instituting Rulemaking (OIR). Fire will be better able to recommend amendments to the County Fire Code after participating in the OIR process.

The OIR has been initiated to consider revising and clarifying the Commission's regulations designed to protect the public from potential hazards, including fires, which may be caused from electric utility transmission or distribution lines and communications infrastructure providers' facilities in proximity to the electric overhead transmission or distribution lines. Vegetation management and related issues are proposed to be included in the scope of the OIR. Additionally, electric lines belonging to non-electric utilities, including SCG, are included within the scope of the OIR.

The public comment and participation plan for the OIR includes a period to file opening comments, a workshop, and comment periods where the proposed regulations can undergo further review. County Counsel, working with Fire, CEO, and DPW, has filed both initial and reply comments to the OIR on the County's behalf. The County is participating as a party in this OIR.

On January 6, 2009, the assigned CPUC Commission issued a Ruling and Scoping memo setting a revised schedule for the OIR proceeding that calls for a two-phased process. The first phase is for rules that can be implemented prior to the autumn 2009 Southern California fire season and the second phase is for issues that are estimated to be implemented in July 2010. This schedule is subject to change at the discretion of the CPUC.

Fire is also working to develop a power line inspection program that will involve all power providers, both public and private, within the high fire hazard areas of Los Angeles County. Over the past several years, Fire and Southern California Edison have worked together to provide joint inspections of Southern California Edison's power lines in high fire hazard areas. However, these inspections do not include the inspection of all power providers' lines and poles. Developing this type of inspection program, with appropriate fees to cover the cost of inspections, will be an ongoing process.

Fire will continue in its efforts to develop appropriate County Fire Code amendments related to power lines and a power line inspection program. Fire will provide any recommended code amendments to your Board on or before June 30, 2009.

Draft a letter to the California Public Utilities Commission (CPUC) to request the completion and publicize the CPUC's investigation of the 2007 Malibu Canyon Fire.

The County submitted this request to the CPUC for their consideration on November 14, 2008. A copy of the request (Attachment I) and a full report from the CPUC of the 2007 Malibu Canyon Fire (Attachment II) are attached.

Report to the Board on the outcome of the petition seeking a rulemaking regarding disaster preparedness and management of overhead powerlines filed by San Diego Gas and Electric Company following the 2007 fires.

On November 26, 2008, County Counsel, DPW, and CEO submitted to your Board a report addressing the petition filed by the San Diego Gas and Electric Company following the 2007 fires. The report is included in this report for your convenience (Attachment III).

Should you have any questions, please do not hesitate to contact Deputy Chief Executive Officer R. Doyle Campbell, Public Safety Cluster, at (213) 893-2374 or Deputy Chief Executive Officer Lari Sheehan, Community and Municipal Services, at (213) 893-2477.

WTF:SRH:RDC
LS:DC:llm

Attachments

c: Executive Office, Board of Supervisors
 County Counsel
 Fire Department
 Public Works
 Regional Planning



WILLIAM T FUJIOKA
Chief Executive Officer

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November 14, 2008

Mr. Richard W. Clark
Director of the Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Mr. Clark:

2007 MALIBU CANYON FIRE CALIFORNIA PUBLIC UTILITIES COMMISSION COMPLETION AND RELEASE OF THE INVESTIGATION AND REPORT

On October 21, 2008, the County of Los Angeles Board of Supervisors (Board of Supervisors) approved a motion by Supervisors Yaroslavsky and Antonovich requesting the California Public Utilities Commission (CPUC) to expeditiously complete and make public its investigation into the 2007 Malibu Canyon Fire. Mr. Steve Dunn from the County of Los Angeles Department of Public Works has been in communication with you during the past year on this and related issues. I am sending this request to secure the expeditious public release of the CPUC report on the 2007 Malibu Canyon Fire. Since your initial comments in the *Los Angeles Times* on November 4, 2007, regarding the 2007 Southern California Fires and your investigation to determine what, if anything, could have been done to avoid the power line failures that may have caused these fires, the County of Los Angeles has experienced similar devastating fires this year.

As the regulating agency over utility companies, we and our constituents look to the CPUC for the direction and rulemaking policies that will provide for the prevention of such fires in the future. We look to the CPUC to furnish a complete investigation of the fire with recommendations on ways to lessen the potential for fires that could be caused by downed power lines and poles. This type of investigation falls within your Commission's authority as the regulatory body over utility companies to ascertain if new rules or modifications to existing ones are warranted.

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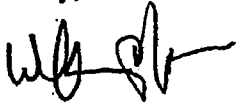
MICHAEL D. ANTONOVICH
Fifth District

Mr. Richard W. Clark
November 14, 2008
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The Board of Supervisors and the residents of Los Angeles County look forward to the expeditious completion and public release of your 2007 Malibu Canyon Fire report. We want to work with your Commission and utility companies in an effort to help prevent future fires. Please provide the tentative release date for this report at your earliest convenience.

If you have any questions regarding this request to expedite completion of your investigation of the 2007 Malibu Canyon Fire, please contact Mr. Dunn at sdunn@dpw.lacounty.gov or (626) 458-3168.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:LS
JTS:sc

c: P. Michael Freeman, Fire Chief
Dean D. Efstathiou, Acting Director of Public Works
Bruce W. McClendon, Director of Regional Planning

CALIFORNIA PUBLIC UTILITIES COMMISSION
Consumer Protection and Safety Division
Utilities Safety and Reliability Branch

Incident Investigation Report

Report Date: 10/21/2008

Investigator: Kan Wai Tong, CPSD investigator and Utilities Engineer

Incident Number: E 20071021-01

Utility: Southern California Edison (SCE), Verizon Wireless, Sprint Nextel, and NextG Networks

Date and Time of the Incident: 10/21/2007, 0450 hours

Location of the Incident: Malibu Canyon Road 2.8 miles north of Pacific Coast Highway
Malibu, CA

Summary of Incident:

On October 21, 2007, at approximately 0450 hours, three wooden poles owned and maintained by public utilities, and bearing live electrical wires and other utility facilities, broke and came to the ground resulting in a vegetation fire. The Los Angeles County fire department report prepared after the fire states that "the fire spread rapidly due to steep terrain and high winds, destroying fourteen (14) structures, damaging approximately nineteen (19) other structures, thirty-six (36) vehicles and burned approximately 3,836 acres."

The poles supported overhead facilities that belong to the Southern California Edison Company (SCE), Verizon Wireless, Sprint Nextel, and NextG Networks. CPSD's investigation found that the vegetation fire started after the overhead facilities installed on the poles fell to the ground. SCE, Verizon Wireless, Sprint Nextel and NextG Networks violated General Order (GO) 95, including but not limited to Rules 12.2, 31.1, 31.2, 43.2, 44.1, and 44.2 for failing to safely and properly maintain, inspect, replace, and reinforce their poles and other facilities, and for failing to prevent their safety factors to fall below the minimum requirements specified in the Commission's general orders.

Fatality / Injury: CPSD is aware of no injuries or fatalities.

Estimated Property Damage:
\$14,528,300

Utility Facilities Involved: Crater-Reclaim/Tapa, 66 kV Circuit

Witnesses:

<i>Name</i>	<i>Title</i>	<i>Phone</i>
1 Frederick McCollum	SCE - Senior Investigator	(626) 302-6867
2 Patrick Spence	SCE - Manager	(626) 302-6980
3 Cliff Houser	LA County Fire Investigator	(626) 433-1011
4 Robert Ramos	SCE - Manager	(626) 302-3136
5 Sandy Clark	LA County Fire Department – Custodian of Records	(626) 433-1011
6 Ross Johnson	AT&T Regulatory	(415) 778-1430
7 Jim Brown	Cable Engineering Service	(818) 898-2352
8 Kristin Jacobson	Sprint Nextel – Attorney	(415) 278-5314
9 Malcolm Brown	Verizon Wireless – Sr. Engineer	(949) 286-8772

Evidence:

<i>Source</i>	<i>Description</i>
1 Fredrick McCollum	Letter dated December 20, 2007 (in response to my November 8, 2007 data request)
2 Kan Wai Tong	Photos taken at the scene and SCE's warehouse
3 Patrick Spence	SCE's initial report
4 Fredrick McCollum	SCE's final report
5 Fredrick McCollum	Letter dated January 16, 2008 (in response to my January 16, 2008 data request)
6 Fredrick McCollum	Letter dated February 4, 2008 (in response to my January 25, 2008 data request)
7 Fredrick McCollum	Letter dated April 1, 2008 (in response to my March 18, 2008 data request)
8 Fredrick McCollum	Letter dated July 17, 2008 (in response to my July 17, 2008 data request)

9 Fredrick McCollum	Letter dated August 11, 2008 (in response to my August 1 data request)
10 Sandy Clark	Accidental Brush Report 07-260
11 Ross Johnson	Email dated September 10, 2008 (in response to my August 21, 2008 data request)
12 Jim Brown	Email dated October 8, 2008 (in response to my August 19, 2008 data request)
13 Kristin Jacobson	Email dated October 2, 2008 (in response to my August 19, 2008 data request)
14 Sharon James	Email dated October 17, 2008 (in response to my August 19, 2008 data request)

Investigator Observations and Findings:

On October 21, 2007, at approximately 0450 hours, SCE reported to the Utilities Safety and Reliability Branch (USRB) that three wooden poles (SCE states in writing that poles are jointly owned by SCE, Verizon Wireless, Sprint Nextel and NextG Networks) broke and came to the ground in high wind, and that the electrified components that fell resulted in a 3,836-acre vegetation fire and damage or destruction to 33 structures, primarily homes. The fire department report stated "The fire spread rapidly due to steep terrain and high winds, destroying fourteen (14) structures, damaging approximately nineteen (19) other structures, thirty-six (36) vehicles and burned approximately 3,836 acres."

On November 8, 2007, (the access road to the origin of the fire was closed for some time after the fire occurred) at approximately 0900 hours, I met Robert Ramos of SCE and I visually examined and took photos of the damaged facilities at SCE's Westminster base. I found that three wooden poles, 1169252E (50-ft height), 1169253E (50-ft height) and 2279212E (35-ft height), had been collected by SCE crew from the scene. By then SCE had cut the poles cut into sections apparently to facilitate removal from the area.

The poles showed fire damage at the soil-air interfaces. A 2,600-pound concrete block was found by the SCE repair crew in the middle of the road after the incident. According to SCE, the block was an anchor support for guys wires installed on pole 2279212E to provide lateral tension of the circuits involved. At approximately 1230 hours, Mr. Ramos and I conducted a site investigation. I found that two SCE circuits, 16-kV and 66-kV, had been supported by the three failed poles along Malibu Canyon Road. I noted that the failed poles had been replaced with new poles after the fire. The three new poles were set adjacent to each other (in a row) along Malibu Canyon Road.

In a letter dated December 20, 2007, Fredrick McCollum, SCE Senior Investigator, stated that SCE had designed the failed poles to withstand 8 pounds per square foot wind pressure, as required by GO 95, Rule 43.2. The same letter states that the last detailed inspection by SCE was conducted on September 25, 2006 and that SCElast patrolled the circuits on February 12, 2007.¹

No unusual conditions were noted either in the detailed inspection or patrol records. SCE's circuit logs showed that the circuits involved relayed (interrupted the service) at the time of the incident.

Mr. McCollum's letter dated April 1, 2008, indicated that SCE last intrusively tested poles 1169252E and 1169253E on May 23, 2007 and pole 2279212E on March 19, 2007.² No unusual conditions were noted in SCE's records.

Mr. McCollum's letter dated July 17, 2008, states that the failed poles were jointly owned by SCE, AT&T, Verizon Wireless, Sprint Nextel and NextG Networks, Inc. Mr. McCollum also asserts that *"each party shall comply with all applicable federal, state, and local laws, rules and regulations, any revisions or supplements thereto..."*. Because the poles were jointly owned by SCE, AT&T, Verizon Wireless, Sprint Nextel, and NextG Networks, Inc., and because the applicable general orders apply explicitly to "all electrical supply and communication lines which come within the jurisdiction of this Commission", each and all of the utilities identified above were responsible for compliance with the Commission's general orders. SCE (McCollum) contends in its letter that SCE was not required to approve the additional load added by other parties. The meaning of SCE's contention is unclear given the joint responsibility that was borne by each and all these utilities to comply with the Commission's general orders.

From August 14 to October 20, 2008, I made several attempts to obtain copies of the wind loading calculations from the communication companies of the communications facilities that had been installed on the failed poles. On September 10, 2008, Ross Johnson stated that AT&T did not have any facilities installed on the poles. On October 8, 2008, Jim Brown sent me the wind loading calculations for Verizon Wireless.

¹ Definition of Patrol in General Order 165 is: "Patrol" shall be defined as a simple visual inspection, of applicable utility equipment and structures that are designed to identify obvious structural problems and hazards. Patrols may be carried out in the course of other company business.

² Definition of Intrusive inspection in General Order 165 is: "Intrusive" inspection, is defined as one involving movement of soil taking samples for analysis, and/or using more sophisticated diagnostic tools beyond visual inspections or instrument readings.

On October 10, 2008, I received the written Accident Brush Report 07-260 from Sandy Clark of the Los Angeles (LA) County Fire Department (attached). The report indicates that due to the severe Santa Ana winds at the time of the incident, the poles broke and caused the overhead energized conductors to contact each other resulting in arcing and a vegetation fire below the conductors.

The LA County Fire Department found no physical impact damage to the base of the pole or any tire tracks in the dirt surrounding the imbedded portion of the pole, or other reasons to suspect vandalism or arson. LA County fire investigator's (Cliff Houser) report concludes : "Based on findings, evidence observed and statements made during this investigation, it is my opinion, this fire was accidental in nature, caused when two (2) Edison power poles, including a support pole, snapped and fell over, allowing excess slack in the electrical lines. This slack diminished the normal clearance of the wires allowing energized electrical lines to touch one another, causing arcing sparks to fall into the combustible brush below the wires. A severe Santa Ana wind condition at the time was a major factor in the spread of this fire."

LA County Fire Department did not record the wind speed at the time of the incident. However, Cliff Houser indicated to me that the firefighters who responded to the incident told him that based on their experience, the wind speed was approximately 50 miles per hour at the location and time of the incident.

On October 17, 2008, Sharon James (NextG) indicated to me in her email response that NextG Networks facilities on the poles were installed at the end of 2004, and neither NextG Network nor its contractor could locate the wind loading calculation for the facilities. It is thus not currently possible to ascertain which company installed the facilities that first overloaded the facility and first caused non-compliance with the General Order.

On October 20, 2008, Kristin Jacobson stated to me by telephone that Sprint facilities were installed on the poles in 1997, and that Sprint could not find any wind loading calculation for its facilities. Ms. Jacobson could not confirm whether such calculation had been performed prior to installation of its facilities. Without further information from Sprint, or NextG, it may not be possible to determine whether the poles were already overloaded by Sprint in 1997 or by NextG in 2004.

Ms. Jacobson also stated to me that Sprint does not believe that GO 95 or any other rule or decision requires utilities to retain such calculations. However, Ms. Jacobson stated that she believes that the wind effect was considered in order to pass the structural analysis required by the Joint Pole Association.³ The purpose of the Joint Pole

³ Source: <http://scjpc.net/>

Committee is to keep accurate records of ownership for each pole and keep on file a master record of each jointly-owned pole. The principal function is to calculate the established value of each transaction, involving the sale or purchase of joint pole equity interests or maintenance of those interests. The Joint Pole Committee office prepares monthly Bills of Sale to the members to enable them to make monetary settlement of their joint enterprises.

Table 4 of Rule 44.1, requires wooden poles in grade A construction to have a construction "safety factor" of 4 at the time of construction. Rule 44 explains that "the safety factors specified in these rules are the minimum allowable ratios of ultimate strengths of materials to the maximum working stresses..." In other words the safety factors describe the expected maximum stress under specific working conditions (weight, wind speed), as compared to the strength of the materials under stress.

GO 95, Rule 44.2, states that lines or parts thereof shall be replaced or reinforced before safety factors have been reduced (due to deterioration) in Grades "A" and "B" construction to less than two-thirds of the construction safety factors specified in Rule 44.1.

GO 95, Rule 43.2, requires poles to be designed to withstand the wind pressure of 8 pounds per square foot of projected area. This factor of safety also known as Safety Factor (SF), is used to provide a design margin over the theoretical design capacity to allow for uncertainty in the design process. The uncertainty could be any one of a number of the components of the design process including calculations, material strengths, duty, and manufacture quality. The value of the safety factor is related to the lack of confidence in the design process. The simplest interpretation of the Factor of Safety for a pole is

$SF = \text{Strength of pole} / \text{Load on pole}$

If a pole needs to withstand a wind load of 8 pounds per square foot of a projected area and a SF of 8/3 (2/3 times 4) is selected then it is designed with strength to withstand minimum wind speed of 92.4-mph.

The poles that broke and came down to the ground should have been designed, loaded, and maintained to withstand a minimum wind speed of 92.4-mph (See Appendix A for a step by step calculation).

According to information provided by National Oceanic and Atmospheric Administration (NOAA) Cooperative Institute, the closest weather station (CEEC1 - Cheeseboro), located at 9-miles north of the fire, recorded that the wind was gusting at approximately 49-mph at the time of the incident.

Preliminary Statement of Pertinent General Order, Public Utilities Code Requirements, and/or Federal Requirements:

<i>General Order</i>	<i>GO Rule</i>
1. GO 95	Rule 12.2
2. GO 95	Rule 31.1
3. GO 95	Rule 31.2
4. GO95	Rule 43.2
5. GO95	Rule 44.1
6. GO95	Rule 44.2

Conclusion:

Based on all the evidence made available to me, it is my opinion that the poles did not meet the requirements of GO 95, Rules 43.2 and 44.2, for ensuring that the failed poles maintained a safety factor of no less than two-thirds of the construction safety factor of 4. If the poles had been maintained, inspected, and constructed in compliance with the applicable Commission general orders, the poles clearly would have withstood the winds that they were subjected to on October 21, 2007. Therefore, SCE, Verizon Wireless, Sprint, and NextG Networks are in violation of GO 95, Rules 12.2, 31.1, 31.2, 43.2, 44.1, and 44.2 for failing to properly maintain and inspect their poles and for failing to prevent their safety factor to fall below the minimum Commission requirements.

Further, violations of the general order were the direct cause of the October 21, 2007 fire.

Appendix A

Based on wind pressure of 8 pounds per square foot of projected area and safety factor of 8/3 (2/3 x 4), the following is a calculation of the minimum wind speed that the poles should withstand:

$$\text{Eq. 1: } SF_{\min} = P1 / P2$$

Parameters:

V_{\min} = Minimum Design Wind Speed Requirement for the poles (mph)

SF_{\min} = Minimum Safety Factor for the poles = 4 * 2/3 (GO 95, Rules 44.1 & 44.2)

$P1$ = Ultimate Strength of the poles (psf) = 0.0025 V_{\min}^2 (eq. 14-66, Standard Handbook for Electrical Engineers, 11th Ed)

$P2$ = Maximum Assumed Wind Pressure (psf) = 8 psf (GO 95, Rule 43.2)

Re-arranging the Eq.1:

$$V_{\min} = (SF_{\min} * P2 / 0.0025)^{0.5}$$

Substituting the parameters into the equation:

$$\text{Answer: } V_{\min} = 92.4\text{-mph}$$

The formulas above are used and defined in the engineers' reference book. The parameters were extracted from GO 95, Rules 43.2, 44.1 and 44.2, and are based on standard engineering references, concepts, and calculations.

RCC:jmc



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WILLIAM T FUJIOKA
Chief Executive Officer

November 26, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Raymond G. Fortner, Jr.
County Counsel

Board of Supervisors
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**REPORT ON COUNTY FILING A PETITION FOR RULEMAKING WITH THE CALIFORNIA
PUBLIC UTILITIES COMMISSION REGARDING RULES FOR OVERHEAD POWER LINES**

On October 21, 2008, your Board directed the County Counsel and the Chief Executive Office (CEO) to report back within 30 days on whether it would be appropriate for the County to file a petition with the California Public Utilities Commission (CPUC) seeking a rulemaking regarding disaster preparedness and management of overhead power lines. As discussed below, our offices recommend that the County participate in the CPUC's recently ordered rulemaking on these issues rather than file a separate petition with the CPUC.

On November 6, 2008, the CPUC unanimously adopted an Order Instituting Rulemaking (OIR) to consider revising and clarifying the CPUC's regulations designed to protect the public from potential hazards, including fires, which may be caused from electric utility transmission or distribution lines, or communications infrastructure providers' facilities in proximity to electric overhead transmission or distribution lines. The OIR proceeding will enable the CPUC to review current safety requirements and to consider possible rule changes that may further reduce the hazards, particularly fire hazards, associated with the electric transmission and distribution facilities and communications facilities that are operated by investor-owned electric utilities and communication facility providers.

Pursuant to the CPUC's rules, the County can actively participate in this OIR as a party by submitting comments and participating in meetings and workshops. The County can raise its concerns and suggested rule changes with the CPUC as they relate to overhead transmission lines operated by investor-owned electric utilities or communications infrastructure providers' facilities in proximity to such lines by participating as a party in the OIR. Pursuant to the

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Each Supervisor
November 26, 2008
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CPUC's OIR, comments from persons or entities wishing to become parties to the proceedings are due on December 3, 2008. Workshops are tentatively schedule for January 14-15, 2009. The CPUC will then propose new rules or revisions to existing rules, and the County and other interested parties will have an opportunity to comment on those proposed rules.

In light of the CPUC approving this OIR, we recommend that the County participate as a party in the CPUC's OIR rather than filing a separate petition for rulemaking. The CEO and County Counsel will coordinate the filing of the County's comments and the County's participation in the OIR. We believe that the County's attempt to file its own petition for rulemaking on the same topic at this point would likely be denied by the CPUC, as it would be duplicative of the rulemaking it has already ordered and the County can participate in the current proceeding in the same manner as if it had been the original petitioner. We will keep your Board advised of the CPUC proceedings.

The Sesnon Fire was allegedly caused by a power line owned by the Gas Company that existed exclusively on Gas Company property and was serving only Gas Company equipment. Accordingly, although the CPUC does regulate investor-owned public utilities such as the Gas Company, the CPUC does not currently regulate this Gas Company power line apart from a general obligation that all utilities be operated in a safe manner. The CPUC staff have informed County Counsel that the CPUC OIR will not address regulation of power lines that are not dedicated to public use.

The California Public Utilities Commission staff have indicated to County Counsel that, in their opinion, the County is able to regulate privately-owned power lines that are not dedicated to public use in the unincorporated area of the County. Accordingly, in compliance with the companion portion of your October 21, 2008, adopted motion, we will be exploring possible amendments to the County Fire Code, or other appropriate regulations, and will report back to your Board.

If you have questions concerning this matter, please contact Assistant County Counsel, Richard D. Weiss, at (213) 974-1924 or Senior Deputy County Counsel, Scott Kuhn, at (213) 974-1852.

WTF:LS:os
RGF:SK:gh

c: Executive Officer, Board of Supervisors
Fire Chief
Acting Director of Public Works